



PUBLIC NOTICE

File Number: NRS 10.300

Notice Date:
November 9, 2010

Expiration Date:
December 8, 2010

Pursuant to Chapter 1200-4-7 of the Department's rules, the proposed activity described below has been submitted for approval under an §401 Water Quality Certification (this also includes Aquatic Resource Alteration Permits). This notice is intended to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. No decision has been made whether to issue or deny this application.

APPLICANT: Doug Berry, Vice President-Economic Development
Industrial Board of the County Bradley and City of Cleveland
225 Keith Street, SW
Cleveland, TN 37320
(423) 472-6587

LOCATION: Project is located east of I-75, south of Lauderdale Memorial Highway and west of Mouse Creek Road, SE of Charleston, Bradley County, Tennessee.

PROJECT DESCRIPTION / PURPOSE: The applicant proposes the construction of a distribution center and associated infrastructure on 70+/- acres. In order to construct the proposed facility the applicant will need to relocate 2,375 feet of an intermittent unnamed tributary to South Mouse Creek.

The proposed relocation will be conducted utilizing Rosgen Level 1 design technology. An average 50-foot riparian zone will be maintained and/or created by planting native riparian trees along both banks of the new channel.

The applicant shall monitor the relocated stream channel biannually and submit reports every 6 months for at least the first two – three years. The relocated channel shall be placed under the division's Land Use Restrictions.

DEGRADATION: In accordance with the Tennessee Antidegradation Statement (Rule 1200-4-3-.06), the division has determined that the proposed activities will not result in degradation to water quality.

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WATERSHED / WATERBODY DESCRIPTION: Current land use is open fields, scattered woodlots and industrial facilities. The unnamed tributary to South Mouse Creek has been impacted by clear cutting and concentrated flow from the culvert under -75. This has resulted in considerable variation in depth (1-6 feet), top of bank channel widths (5-18 feet) and eroded banks.

Stream Name / ID #: South Mouse Creek
Ecoregion: Ridge and Valley 67 (67f - Southern Limestone/Dolomite Valleys and Low Rolling Hills)
Stream Dimension: average channel width is 15-20 feet and 4-7 feet deep (top of banks)
Substrate: gravel, clay

Designated Use	Use Support
fish and aquatic life	supporting
recreation	supporting
irrigation	supporting
livestock watering & wildlife	supporting

Special Designations: 2010- 303(d) list

TN06020002009 -1000	SOUTH MOUSE CREEK	Bradley 12.1	Escherichia coli NA	Discharges from MS4 area Pasture Grazing
TN06020002009 - 2000	SOUTH MOUSE CREEK	Bradley 6.5	Loss of biological integrity due to siltation NA Physical Substrate Habitat Alterations NA Escherichia coli NA	Discharges from MS4 area Collection System Failure Channelization

PERMIT COORDINATOR: Mike Lee

TOPOGRAPHICAL QUADRANGLE: East Cleveland 120 NE
Lat 35 16 54 Long -85 48 52W

FACTORS CONSIDERED: In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

COMMENTING: Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number

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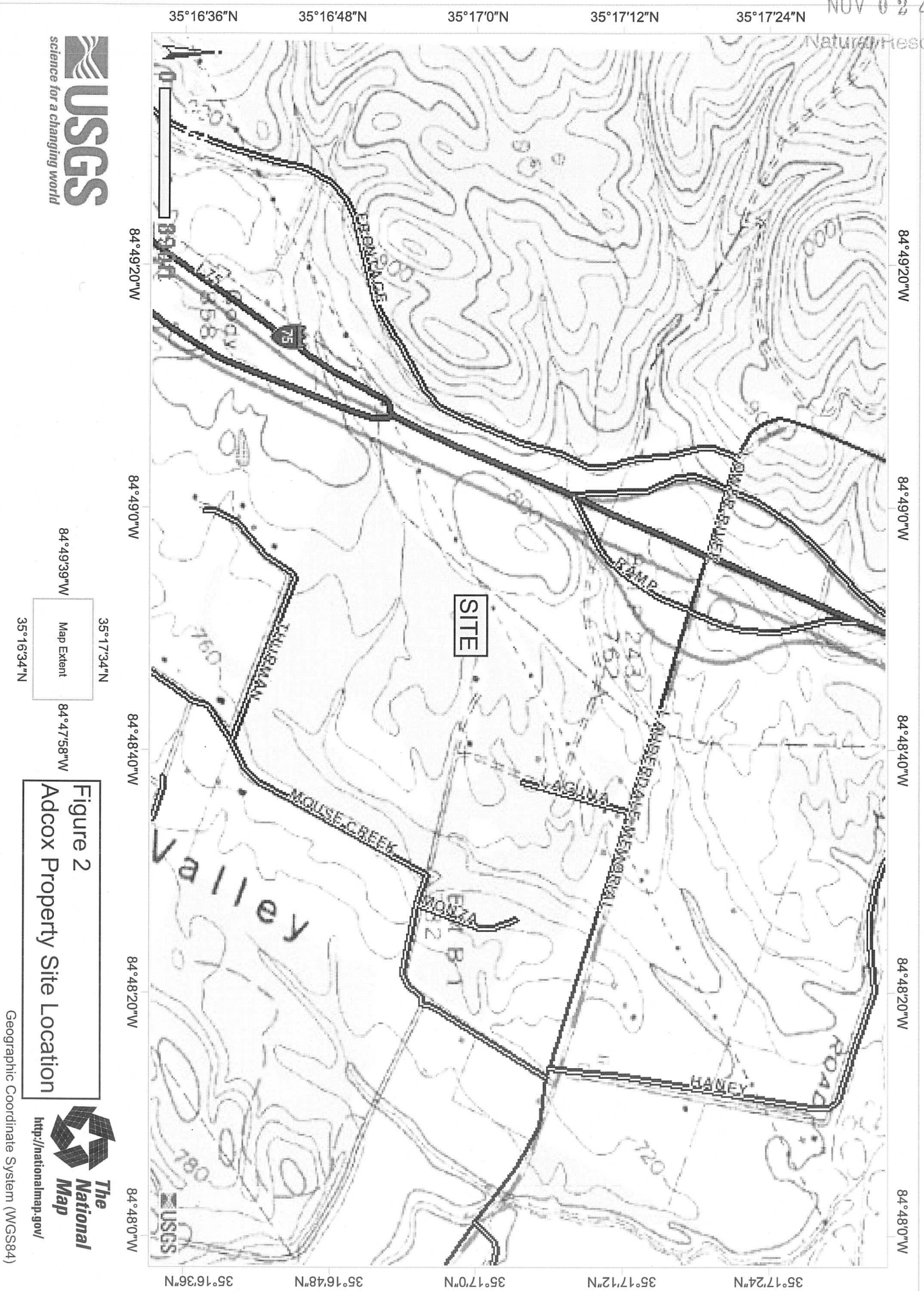
should be referenced. Send all written comments to the department's address listed below and to the attention of the permit coordinator.

PUBLIC HEARING: The Department of Environment and Conservation will conduct a Public Hearing on this water quality application. The Hearing will be held on Tuesday, December 14, 2010 at 6:00 P.M. EDT in Meeting Rooms A&B at the Cleveland/Bradley County Chamber of Commerce, 225 Keith Street SW, Cleveland, TN 37320, (423) 472-6587. *The Public Notice for this Hearing is being jointly noticed with this application.*

APPEAL: A petition for permit appeal may be filed, pursuant to T.C.A. §§ 69-3-105 by the permit applicant or by any aggrieved person who participated in the public comment period whose appeal is based upon any of the issues that were provided to the commissioner in writing during the public comment period or in testimony at a formal public hearing on the permit application. Any petition for permit appeal shall be filed with the board within **thirty (30) days** after public notice of the commissioner's decision to issue or deny the permit. Such petition must state in numbered paragraphs the basis of the appeal as required by the Administrative Procedures Act and regulations promulgated thereunder. The petition must be prepared on 8½" x 11" paper, addressed to the Water Quality Control Board and filed in duplicate at the address listed below. Any hearing would be in accordance with T.C.A. §§69-3-110 and 4-5-301 et seq.

FILE REVIEW: The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address (listed below) for review and/or copying.

Tennessee Department of Environment & Conservation
Division of Water Pollution Control, Natural Resources Section
7th Floor L & C Annex
401 Church Street
Nashville, TN 37243



84°49'39"W
35°17'34"N
Map Extent
84°47'58"W
35°16'34"N

Figure 2
Adcox Property Site Location



Geographic Coordinate System (WGS84)



Figure 4A NRCS Aerial of Site Showing Existing Stream Location